



1637  
#5/IDS

Docket No. 20410-7013

**Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):**

[X] Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.

[ ] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner \_\_\_\_\_ at Facsimile No. \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.

Dated: August 27, 2002

Name of Person Certifying: Nancy Hine  
Printed Name: Nancy Hine

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Carl Alexander Kamb	Assignee:	Deltagen Proteomics, Inc.
Filing Date:	January 18, 2002	Examiner:	Not Assigned
Serial No.:	10/053,366	Group Art Unit:	Not Assigned
Title:	Methods for Negative Selections Using Solid Supports		

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Assistant Commissioner for Patents  
Washington, D.C. 20231

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**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached Form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

**I. Timing of the Information Disclosure Statement:**

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.
- ☒ Before the mailing date of a first Office action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-1193 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).

This Information Disclosure Statement is filed:

- ☐ After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and the Commissioner is hereby authorized to charge Deposit Account No. [ ] for the fee (\$180) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

This Information Disclosure Statement is filed:

- ☐ After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.

The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

## II. Copies of the Cited Items:

- ☐ Copies of all of the items listed on the attached Form PTO-1449 are enclosed.
- ☒ Copies of only the following items listed on the attached Form PTO-1449 are enclosed: A9, A11, A14, A15, A21, B3, B7, B10, B11, B12, B13, B14 and B21 and the International Search Report for corresponding PCT US97/23173 mailed August 5, 1998.
- ☒ Copies of those items which are marked with an asterisk (\*) in the attached Form PTO-1499 are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application No. 09/336,107, filed June 18, 1999 and relied upon in this application for an earlier filing date under 35 U.S.C § 120. See 37 C.F.R. § 1.98(d).;
- ☒ Copies of those items which are marked with a double asterisk (\*\*) in the attached Form PTO-1499 are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application No. 08/764,191, filed December 13, 1996 and relied upon in this application for an earlier filing date under 35 U.S.C § 120. See 37 C.F.R. § 1.98(d).;
- ☒ Copies of those items which are marked with a triple asterisk (\*\*\*) in the attached Form PTO-1499 were cited in a foreign examination report in a related case. A copy of the search report is attached hereto.

**III. Concise Explanation of Relevance:**

- ☐ A concise explanation of relevance of the items listed on Form PTO-1449 is not given.
- ☒ A concise explanation of relevance of the items listed on Form PTO-1449 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

**IV. Conclusion:**

Citation of the above documents shall not be construed as:

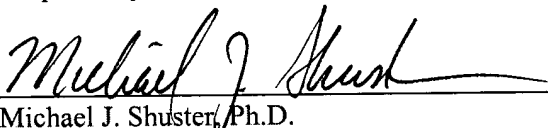
1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks.

The Commissioner is hereby authorized to charge Deposit Account No. 50-1193 Docket No. 20410-7013 for any additional fees required in connection with the filing of this Information Disclosure Statement.

DATE: August 27, 2002

Respectfully submitted,

By:   
Michael J. Shuster, Ph.D.  
Registration No.: 41,310

McCutchen, Doyle, Brown & Enersen, LLP  
Three Embarcadero Center, Suite 1800  
San Francisco, California 94111  
Telephone: (415) 393-2000  
Telefax: (415) 393-2286

FORM PTO-1449 (Modified [6-1])

ATTY. DOCKET NO.

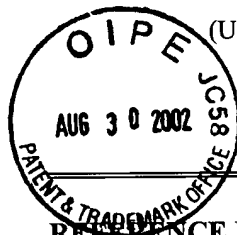
SERIAL NO.

20410-7013

10/053,366

LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT(S)' INFORMATION DISCLOSURE  
STATEMENT

(Use several sheets if necessary)



INVENTOR Carl Alexander Kamb

FILING DATE

January 18, 2002

GROUP ART UNIT

Not Yet Assigned

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAM'R INITIAL		DOCUMENT NUMBER	DATE	NAME	Class	Subclass	Filing Date If Appropriate
	*A1	6,153,380	11/28/00	Nolan et al.			
	*A2	5,976,893	11/02/99	Dennis et al.			
	*A3	5,942,389	08/24/99	Kirschling et al.			
	*A4	5,928,888	07/27/99	Whitney			
	*A5	5,856,171	01/05/99	Korsmeyer			
	*A6	5,824,469	10/20/98	Horwitz et al.			
	*A7	5,811,234	09/22/98	Roninson et al.			
	*A8	5,789,389	08/04/98	Tarasewicz et al.			
	A9	5,763,175	06/09/98	Brenner			
	*A10	5,753,432	05/19/98	Gudkov et al.			
	A11	5,736,330	04/07/98	Fulton			
	*A12	5,702,890	12/30/97	Housman			
	*A13	5,639,595	06/17/97	Mirabelli et al.			
	A14	5,604,097	02/18/97	Brenner			
	A15	5,573,909	11/12/96	Singer et al.			
	*A16	5,525,490	06/11/96	Erickson et al.			
	*A17	5,436,142	07/25/95	Wigler et al.			
	*A18	5,382,510	01/17/95	Levine et al.			
	*A19	5,283,173	02/01/94	Fields et al.			
	*A20	5,217,889	06/08/93	Roninson et al.			
	A21	5,149,625	09/22/92	Church et al.			
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	**A23	4,973,679	11/27/90	Caruthers et al.			
	**A24	4,725,677	02/16/88	Köster et al.			
	**A25	4,678,814	07/07/87	Rembaum			
	**A26	4,569,774	02/11/86	Forbus, Jr.			
	**A27	4,458,066	07/03/84	Caruthers et al.			
	**A28	4,415,732	11/15/83	Caruthers et al.			
	**A29	4,413,070	11/01/83	Rembaum			

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant(s).

FORM PTO-1449 (Modified [6-1])

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**FOREIGN PATENT DOCUMENTS**

EXAM'R INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	Subclass	TRANSLAT'N	
							yes	no
	*B1	WO 98/56904	12/17/98	PCT				
	*B2	WO 98/54366	12/03/98	PCT				
	B3	WO 98/53300	11/26/98	PCT				
	*B4	WO 98/13353	04/02/98	PCT				
	*B5	WO 98/07886	02/26/98	PCT				
	*B6	WO 97/39119	10/23/97	PCT				
	B7	WO 97/32999	09/12/97	PCT				
	*B8	WO 97/26325	07/24/97	PCT				
	*B9	WO 97/22722	06/26/97	PCT				
	B10	WO 97/14028	04/17/97	PCT				
	B11	WO 97/13877	04/17/97	PCT				
	B12	WO 97/10365	03/20/97	PCT				
	B13	WO 96/41011	12/19/96	PCT				
	B14	WO 96/40987	12/19/96	PCT				
	**B15	WO 96/12039	04/25/96	PCT				
	***B16	WO 96/12014	04/25/96	PCT				
	**B17	WO 95/35505	12/28/95	PCT				
	**B18	WO 95/27080	10/12/95	PCT				
	*B19	WO 95/23855	09/08/95	PCT				
	***B20	WO 95/08647	03/30/95	PCT				
	B21	WO 95/01456	01/12/95	PCT				
	**B22	WO 93/21203	10/28/93	PCT				
	**B23	WO 93/18068	09/16/93	PCT				
	***B24	WO 93/02214	02/04/93	PCT				
	**B15	WO 92/04384	03/19/92	PCT				
	**B26	WO 91/14768	10/03/91	PCT				
	**B27	EP 0 395398	10/31/90	EP				

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**OTHER ART (Include Author, Title, Date, Pertinent Pages, etc.)**

*C1	Abrahamson et al., 1995, "Regulation of p53-Mediated Apoptosis and Cell Cycle Arrest by Steel Factor", <i>Mol. Cell. Biol.</i> 15:6953-6960.
*C2	Abedi et al., 1998, "Green Fluorescent Protein as a Scaffold for Intracellular Presentation of Peptides", <i>Nucleic Acids Res.</i> 26:623-630.
**C3	Albretsen et al., 1990, "Applications of Magnetic Beads with Covalently Attached Oligonucleotides in Hybridization: Isolation and Detection of Specific Measles Virus mRNA from a Crude Cell Lysate", <i>Anal. Biochem.</i> 189:40-50.
*C4	Arsura et al., 1995, "Variant Max Protein, Derived by Alternative Splicing, Associates with c-Myc In Vivo and Inhibits Transactivation", <i>Mol. Cell Biol.</i> 15:6702-6709.
*C5	Bani et al., 1996, "Multiple Features of Advanced Melanoma Recapitulated in Tumorigenic Variants of early Stage (Radial Growth Phase) Human Melanoma Cell Lines: Evidence for a Dominant Phenotype", <i>Cancer Res.</i> 56:3075-3086.
*C6	Bartel and Fields, 1995, "Analyzing Protein-Protein Interactions Using Two-Hybrid System", <i>Methods Enzymol.</i> 254:241-263.
**C7	Baum, 1996, "Combinational Chemistry", <i>Chem. Engin. News</i> Feb. 12 Issue:28-64.
**C8	Beattie et al., 1993, "Genosensor Technology", <i>Clin. Chem.</i> 39:719-722.
**C9	Beaucage and Iyer, 1992, "Advances in the Synthesis of Oligonucleotides by the Phosphoramidite Approach", <i>Tetrahedron</i> 48:2223-2311.
*C10	Bishop, J.M., 1983, "Cellular Oncogenes and Retroviruses", <i>Annu. Rev. Biochem.</i> 52:301-354.
*C11	Bishop, J.M., 1987, "The Molecular Genetics of Cancer", <i>Science</i> 235:305-311.
**C12	Boerwinkle et al., 1989, "Rapid Typing of Tandemly Repeated Hypervariable Loci by the Polymerase Chain Reaction: Application to the Apolipoprotein B 3' Hypervariable Region", <i>Proc. Natl. Acad. Sci. U.S.A.</i> 86:212-216.
**C13	Botstein et al., 1980, "Construction of a Genetic Linkage Map in Man Using Restriction Fragment Length Polymorphisms", <i>Am. J. Hum. Genet.</i> 32:314-331.
*C14	Bourgeois et al., 1993, "Expression of an mdr Gene is Associated with a New Form of Resistance to Dexamethasone-Induced Apoptosis", <i>Mol. Endocrinol.</i> 7:840-851.
C15	Brenner et al., 1992, "Encoded Combinatorial Chemistry", <i>Proc. Natl. Acad. Sci. U.S.A.</i> 89:5381-5383.
**C16	Brown et al., 1989, "A New Base-Stable Linker for Solid-phase Oligonucleotide Synthesis", <i>J. Chem. Soc., Chem. Commun.</i> 14:891-893.
**C17	Bush et al., 1992, "Solid-Phase Time-Resolved Fluorescence Detection of Human Immunodeficiency Virus Polymerase Chain Reaction Amplification Products", <i>Anal. Biochem.</i> 202:146-151.
*C18	Cannon-Albright et al., 1992, "Assignment of a Locus for Familial Melanoma, MLM, to Chromosome 9p13-p22", <i>Science</i> 258:1148-1152.

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*C19	Cavenee et al., 1983, "Expression of Recessive Alleles by Chromosomal Mechanisms in Retinoblastoma", <i>Nature</i> 305:779-784.
*C20	Chen et al., 1996, "Activation and Inhibition of the AP-1 Complex in Human Breast Cancer Cells", <i>Mol. Carcinog.</i> 15:215-226.
*C21	Cho et al., 1976, "Revertants of Human Cells Transformed by Murine Sarcoma Virus", <i>Science</i> 194:951-953.
*C22	Collins and Rivas, 1993, "The Control of Apoptosis in Mammalian Cells", <i>Trends Biochem. Sci.</i> 18:307-309.
*C23	Copeland et al., 1979, "Transformation of NIH/3T3 Mouse Cells by DNA of Rous Sarcoma Virus", <i>Cell</i> 17:993-1002.
**C24	Damha et al., 1990, "An Improved Procedure for Derivatization of Controlled-pore Glass Beads for Solid-Phase Oligonucleotide Synthesis", <i>Nucleic Acids Res.</i> 18:3813-3821.
*C25	Darnell et al., <i>Molecular Cell Biology</i> , p. 1044.
*C26	Duab et al., 1996, "Role of Transactivation of the EGF Receptor in Signalling by G-protein-coupled Receptors", <i>Nature</i> 379:557-560.
**C27	Day et al., 1991, "Immobilization of Polynucleotides on Magnetic Particles", <i>Biochem J.</i> 278:735-740.
*C28	Denko et al., 1995, "Mitotic and Post Mitotic Consequences of Genomic Instability Induced by Oncogenic Ha-Ras", <i>Somat. Cell. Mol. Genet.</i> 21:241-253.
**C29	Der et al., 1982, "Transforming Genes of Human Bladder and Lung Carcinoma Cell Lines are Homologous to the <i>ras</i> Genes in Harvey and Kirsten Sarcoma Viruses", <i>Proc. Natl. Acad. Sci. U.S.A.</i> 79:3637-3640.
**C30	Diatchenko et al., 1996, "Suppression Subtractive Hybridization: A Method for Generating Differentially Regulated or Tissue-specific cDNA Probes and Libraries", <i>Proc. Natl. Acad. Sci. U.S.A.</i> 93:6025-6030.
*C31	Egawa et al., 1995, "Early Detection of Prostate Cancer", <i>Cancer</i> 76:463-472.
**C32	El-Deiry et al., 1993, " <i>WAF1</i> , A Potential Mediator of p53 Tumor Suppression", <i>Cell</i> 75:817-825.
*C33	Evan et al., 1992, "Induction of Apoptosis in Fibroblasts by c-myc Protein", <i>Cell</i> 69:119-128.
*C34	Fieck et al., 1992, "Modifications of the E. coli Lac Repressor for Expression in Eukaryotic Cells: Effects of Nuclear Signal Sequences on Protein Activity and Nuclear Accumulation", <i>Nucleic Acid Res.</i> 20:1785-1791.
*C35	Fischinger et al., 1972, "Reversion of Murine Sarcoma Virus Transformed Mouse Cells: Variants without a Rescuable Sarcoma Virus", <i>Science</i> 176:1033-1035.
*C36	Francke et al., 1976, "Retinoblastoma and Chromosome 13", <i>Cytogenet. Cell Genet.</i> 16:131-134.
*C37	Francke et al., 1979, "Aniridia-Wilms' Tumor Association: Evidence for Specific Deletion of 11p13", <i>Cytogenet. Cell Genet.</i> 24:185-192.

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*C38	Friend et al., 1986, "A Human DNA Segment with Properties of the Gene that Predisposes to Retinoblastoma and Osteosarcoma", <i>Nature</i> 323:643-646.
*C39	Friend et al., 1987, "Deletions of a DNA Sequence in Retinoblastomas and Mesenchymal Tumors: Organization of the Sequence and its Encoded Protein", <i>Proc. Natl. Acad. Sci. U.S.A.</i> 84:9059-9063.
*C40	Gaits et al., 1995, "Increase in Receptor-like Protein Tyrosine Phosphatase Activity and Expression Level on Density-dependent Growth Arrest of Endothelial Cells", <i>Biochem. J.</i> 311:97-103.
*C41	Galiana et al., 1995, "Identification of a Neural-specific cDNA, NPDC-1, Able to Down-regulate Cell Proliferation and to Suppress Transformation", <i>Proc. Natl. Acad. Sci. U.S.A.</i> 92:1560-1564.
*C42	Gessler et al., 1990, "Homozyous Deletion in Wilms Tumours of a Zinc-Finger Gene Identified by Chromosome Jumping", <i>Nature</i> 343:774-778.
**C43	Ghosh and Musso, 1987, "Covalent Attachment of Oligonucleotides to Solid Supports", <i>Nucleic Acids Res.</i> 15:5353-5372.
*C44	Gossen and Bujard, 1992, "Tight Control of Gene Expression in Mammalian Cells by Tetracycline-responsive Promoters", <i>Proc. Natl. Acad. Sci. U.S.A.</i> 89:5547-5551.
*C45	Greenberger and Aaronson, 1974, "Morphologic Revertants of Murine Sarcoma Virus Transformed Nonproducer BALB/3T3: Selective Techniques for Isolation and Biologic Properties in Vitro and in Vivo", <i>Virology</i> 57:339-346.
**C46	Grothues et al., 1993, PCR Amplification of Megabase DNA with Tagged Random Primers (T-PCR)", <i>Nucleic Acids Res.</i> 21:1321-1322.
*C47	Ha et al., 1996, "Use of the Green Fluorescent Protein as a Marker in Transfected Leishmania", <i>Mol. Biochem. Parasitol.</i> 77:57-64.
*C48	Hall et al., 1990, "Linkage of Early-Onset Familial Breast Cancer to Chromosome 17q21", <i>Science</i> 250:1684-1689.
*C49	Harbour et al., 1988, "Abnormalities in Structure and Expression of the Human Retinoblastoma Gene in SCLC", <i>Science</i> 241:353-356.
*C50	Harrington et al., 1994, "Oncogenes and Cell Death", <i>Curr. Opin. Genet. Dev.</i> 4:120-129.
*C51	Haslinger et al., 1985, "Upstream Promoter Element of the Human Metallothionein-IIA Gene Can Act Like an Enhancer Element", <i>Proc. Natl. Acad. Sci. U.S.A.</i> 82:8572-8576.
**C52	Hattier et al., 1995, "Monitoring the Efficacy of Hybrid Selection during Positional Cloning: The Search for BRCA1", <i>Mamm. Genome</i> 6:873-879.
**C53	Hedrick et al., 1984, "Isolation of cDNA Clones Encoding T Cell-Specific Membrane-Associated Proteins", <i>Nature</i> 308:149-153.
*C54	Hirano et al., 1995, "Roles of p53 Mutation in Cell Line Establishment and Identification of the Minimum Transactivation and Transform Suppression Domains", <i>Oral Oncol. Eur. J. Cancer</i> 31B:129-135.
*C55	Holt et al., 1996, "Growth Retardation and Tumour Inhibition by BRCA1", <i>Nature Genet.</i> 12:298-302.

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20410-7013

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*C56	Horuk et al., 1993, "Purification, Receptor Binding Analysis, and Biological Characterization of Human Melanoma Growth Stimulating Activity (MGSA)", <i>J. Biol. Chem.</i> 268:541-546.
*C57	Huang et al., 1988, "Suppression of the Neoplastic Phenotype by Replacement of the RB Gene in Human Cancer Cells", <i>Science</i> 242:1563-1566.
*C58	Inoue et al., 1983, "Rat Mutant Cells Showing Temperature Sensitivity for Transformation by Wild-type Moloney Murine Sarcoma Virus", <i>Virology</i> 125:242-245.
*C59	Itoh et al., 1991, "The Polypeptide Encoded by the cDNA for Human Cell Surface Antigen Fas Can Mediate Apoptosis", <i>Cell</i> 66:233-243.
*C60	Johnson et al., 1995, "Selective Tumorigenesis in Non-Parenchymal Liver Epithelial Cell Lines by Hepatocyte Growth Factor Transfection", <i>Cancer Lett.</i> 96:37-48.
*C61	Kallioniemi et al., 1992, "Comparative Genomic Hybridization for Molecular Cytogenetic Analysis of Solid Tumors", <i>Science</i> 258:818-821.
*C62	Kamb et al., 1994, "A Cell Cycle Regulator Potentially Involved in Genesis of Many Tumor Types", <i>Science</i> 264:436-440.
**C63	Kamb et al., 1987, "Molecular Characterization of <i>Shaker</i> , a Drosophila Gene that Encodes a Potassium Channel", <i>Cell</i> 50:405-413.
*C64	Kashles et al., 1991, "A Dominant Negative Mutation Suppresses the Function of Normal Epidermal Growth Factor Receptors by Heterodimerization", <i>Mol. Cell. Biol.</i> 11:1454-1463.
*C65	Korsmeyer, 1992, "Bcl-2: A Repressor of Lymphocyte Death", <i>Immunol. Today</i> 13:285-288.
*C66	Knippschild et al., 1996, "Abrogation of Wild-Type p53 Mediated Growth Inhibition by Nuclear Exclusion", <i>Oncogene</i> 12:1755-1765.
*C67	Kruglyak et al., 1995, "Complete Multipoint Sib-Pair Analysis of Qualitative and Quantitative Traits", <i>Am. J. Hum. Genet.</i> 57:439-454.
*C68	Kruglyak et al., 1995, "High-Resolution Genetic Mapping of Complex Traits", <i>Am. J. Hum. Genet.</i> 56:1212-1223.
*C69	Kyprianou et al., 1991, "Programmed Cell Death During Regression of the MCF-7 Human Breast Cancer Following Estrogen Ablation", <i>Cancer Res.</i> 51:162-166.
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